

# 1. Applicant Information

**Request:** Consideration as an early action: *Develop recommendations to improve the process used by the Department of Water Resources to administer the Delta Levee Subventions and Special Projects Programs.*

Consultation re plan: *N.A*

Consultation re: possible covered action: *N.A.*

Other (please specify):

**Applicant Name:** *Steven L. Goetz*

Legal status (city, special district, firm, individual, etc.): *County of Contra Costa*

Address of applicant: *Department of Conservation and Development, 651 Pine Street, 4<sup>th</sup> Floor, North Wing, Martinez, CA 94553*

Contact information: Name of responsible individual: *Steven L. Goetz*

Role (officer, attorney, etc.): *Deputy Director of Conservation and Transportation Planning Programs.*

Address: *Same as above.*

Email: *steven.goetz@dcd.cccounty.us*

Telephone: *925-335-1240*

**Legally Responsible Entity Name (if different than Applicant):** *Delta Stewardship Council*

**Legal Status** (city, special district, firm, individual, etc.): *State Agency*

Address of applicant: *650 Capitol Mall, Sacramento, CA*

Contact information: Name of responsible individual: *Phil Isenberg*

Role (officer, attorney, etc.): *Chair*

Address: *Same as above*

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Plan or project purpose narrative, including legal authority. If an action is “urgent,” provide the rationale for urgency.**

*The purpose of the early action is to streamline the administration of these levee programs to expedite levee restoration activities to meet the needs of the state and the levee owners in a cost effective and timely manner. Recently these programs have received substantial increases in appropriations from Proposition 84 and 1E. The urgency for actions to reduce the risk of levee failure is covered in the Interim Plan. Administrative constraints of the program limit what Reclamation Districts can accomplish in a given year. Feedback from reclamation districts indicates there is significant room for improvement in how these programs are administered. For example, paperwork is extensive, expensive and payments of the state cost-share are not timely, affecting future restoration efforts. The funds involved for these programs is unprecedented and warrants oversight by the Council to ensure these investments address state priorities in a manner that is reliable, timely and without excessive administration. Given near term appropriations for these programs, addressing this issue after adoption of the Delta Plan would be too late.*

**Plan or project physical location and description (include geo-referencing latitude and longitude for projects):**

*Non project levees in the legal Delta.*

## 2. Plan or Project Review by Public Agencies

*This section does not apply to this early action. No Public Agency is required to review this early action recommendation other than the Delta Stewardship Council and the Department of Water Resources, neither of which are listed below.*

**Local Government Discretionary Approval(s):**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe:

**Delta Protection Commission Consistency Approval(s):**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe:

**Bay Conservation and Development Commission Permit:**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe:

**State Lands Commission:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**CalTrans:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**State Water Resources Control Board Permit:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Regional Water Quality Control Board:**

Yes \_\_\_\_\_ No \_\_\_\_\_ Regional Board Number: \_\_\_\_\_

**California Dept. of Toxic Substances Control:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**California Department of Fish and Game Streambed Alteration Permit:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**DF&G Take Authorization:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Other DF&G Permit:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**U.S. Army Corps of Engineers:**

Yes \_\_\_\_\_ No \_\_\_\_\_ Public Notice Number: \_\_\_\_\_

**U.S. Fish and Wildlife Service: Take Authorization**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Biological Opinion:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**NOAA Fisheries Service: Take Authorization**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Biological Opinion**

Yes \_\_\_\_\_ No \_\_\_\_\_

**U.S. Coast Guard:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Federal Funding:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**Describe any history of consideration by any other governmental agency and provide documentation of any actions taken.**

N.A.

## 3. Environmental Impact Documentation (must be completed by all applicants)

a. Is the project statutorily or categorically exempt from the need to prepare any environmental

documentation?

Yes \_\_\_\_\_ No \_\_\_\_\_ NOT APPLICABLE

If "Yes," please attach a statement that identifies and supports this statutory or categorical exemption.

*The review of the procedures and guidelines for administration of the Delta Levee Subvention and Special Projects Programs is not a project as defined by the California Environmental Quality Act.*

**b.** Has a government agency other than the Council, serving as the lead agency, adopted a negative declaration or certified an environmental impact report or environmental impact statement on the project?

Yes \_\_\_\_\_ No \_\_\_\_\_ NOT APPLICABLE

If "Yes," attach a copy of the document. If the environmental impact report or statement is longer than ten pages, also provide a summary of up to ten pages. If "No," provide sufficient information to allow the Council to make the necessary findings regarding all applicable policies. The certified document must be submitted prior to action on the application.

*The review of the procedures and guidelines for administration of the Delta Levee Subvention and Special Projects Programs is not a project as defined by the California Environmental Quality Act.*

#### **4. Assessment against Delta Reform Act Policy Objectives**

Assess the proposed plan or project against the eight policy objectives listed below which "the legislature declares are inherent in the coequal goals for management of the Delta" (WC Section 85020). Provide a brief summary for the rationale for each assessment and reference to any supporting documentation (include URL links as appropriate).

**(a) Manage the Delta's water and environmental resources and the water resources of the state over the long term.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

**(b) Protect and enhance the unique cultural, recreational, 1 and agricultural values of the California**

**Delta as an evolving place.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

**(c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

**(d) Promote statewide water conservation, water use efficiency, and sustainable water use.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ Not Applicable X

Rationale, magnitude of effect (if positive or negative) and documentation:

**(e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ *Not Applicable X*

Rationale, magnitude of effect (if positive or negative) and documentation:

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**(f) Improve the water conveyance system and expand statewide water storage.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ *Not Applicable X*

Rationale, magnitude of effect (if positive or negative) and documentation:

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**(g) Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.**

*Positive X* Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ *Not Applicable \_\_\_\_\_*

Rationale, magnitude of effect (if positive or negative) and documentation:

Identification of opportunities to streamline procedures for administration of funds under the Delta Levee Subventions and Special Projects programs would, if implemented by the Department of Water Resources, allow for strategic investments in levees to be made more cost effectively and more quickly, thereby reducing risk from levee failures.

**(h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve these objectives.**

Positive \_\_\_\_\_ Negative \_\_\_\_\_ Neutral \_\_\_\_\_ Unknown \_\_\_\_\_ *Not Applicable X*

Rationale, magnitude of effect (if positive or negative) and documentation:

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## **5. Assessment of Administration and Implementation Processes**

**Cost of Project/Plan:** Please provide your best estimate of the total cost of the project or plan you are proposing. If this is a Plan, please provide an estimate of the annual operational or enforcement costs projected for the activity. Please list all sources used for developing the cost estimates

*The cost would involve the review of written or oral testimony on the administration of the Delta Levee Subventions and Special Projects Programs, a review of DWR's responses to this testimony, and adoption of recommendations for DWR to revise certain procedures if appropriate.*

**Financing (provide information on public and private sources of funding, including funds on hand or legally pledged or obligated and the sources of those funds):**

*Activities of the Delta Stewardship Council and administration of the Delta Levee Subventions and Special Projects is funded by state bond revenue. Reclamation District activities are funded by local revenue.*

**Identify any public agencies (federal, state and local) whose actions or decisions are essential for the proposed action to succeed. Provide evidence of their approval and support of the proposed action:**

*Review of the Delta Levee Subventions and Special Projects Programs is a decision of the Delta Stewardship Council. The Council's support for making strategic levee investments in the Delta in a cost effective and timely manner is documented in the Interim Plan.*

**If real property must be acquired or use altered for the success of the proposed action, identify the owners of that property and information on how ownership or use change will occur:**

*N.A.*

**Provide a time line for the proposed plan or project, including major milestones through completion:**

- *The Council includes review of the administration of the Delta Levee Subventions and Special Projects Programs in the Interim Plan.*
- *The Council request public comment and recommendations on improving administration of the Delta Levee Subventions and Special Projects Programs.*
- *The Council request DWR to respond to comments and recommendations.*
- *The Council approves recommendations for DWR that would allow for strategic investments in levees to be made more cost effectively and more quickly if appropriate.*

**Describe how success or failure of the plan or project 1 will be determined, including measures proposed, time frame and public agency responsible for judging success:**

*An evaluation of the programs would occur that describes outcomes before and after implementation of the Council's recommendations. Comparisons could involve the miles of levee improvements funded by the programs, the cost for complying with administrative requirements, the time taken to expend available bond funds, and the degree of compliance with program requirements that was achieved by applicants.*

**Describe the major benefits that can result from the proposed plan or project, including identification of beneficiaries and any information on the magnitude and timing of benefits received:**

*Benefits include more timely and cost effective expenditure of the remaining bond revenue for levee investments in the Delta and the reduction in risk to state interests achieved through these investments.*

**If the proposed plan or project fails, what is done? What additional costs could be incurred and how will they be financed? Identify any lasting effects or changed options for future policy making:**

*The Delta Plan can evaluate the reasons for the failure and provide subsequent recommendations as appropriate.*

## **6. Scientific justification (to address requirement for Council use of best available science, Water Code section 85302(g)):**

**Describe any Attach description of scientific justification for the proposed plan or project and provide all related documents any pertinent documents. Address the criteria identified in Section 3 when preparing the scientific justification. Provide complete list of all scientific references cited:**

*N. A.*

## 7. Applicant certifications and authorizations

I certify that all of the information submitted is complete and accurate to the best of my knowledge and that all attached exhibits are full, complete and correct. I certify that I understand that omitted or insufficient information can delay consideration of this application. I certify that this application is not complete until accepted by the Council at a regularly scheduled meeting. I authorize the Council, its staff or other authorized personnel to share this information publicly and authorize their collection of additional information relevant to this application.

  
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Signature of applicant or applicant's representative

September 3, 2010  
Date

Printed name: *Steven L. Goetz*

Title: *Deputy Director of Conservation and Transportation Planning Programs, Contra Costa County  
Department of Conservation and Development.*